

109TH CONGRESS  
1ST SESSION

# H. J. RES. 39

Proposing an amendment to the Constitution of the United States relating to marriage.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2005

Mr. DANIEL E. LUNGREN of California (for himself, Mr. BACHUS, Mr. STEARNS, Mrs. EMERSON, Mr. ROGERS of Alabama, Mr. ALEXANDER, Mr. BARTLETT of Maryland, Mr. DAVIS of Tennessee, Mr. TAYLOR of Mississippi, and Mr. GOHMERT) introduced the following joint resolution; which was referred to the Committee on the Judiciary

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## JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relating to marriage.

1       *Resolved by the Senate and House of Representatives*  
2       *of the United States of America in Congress assembled*  
3       *(two-thirds of each House concurring therein),* That the fol-  
4       lowing article is proposed as an amendment to the Con-  
5       stitution of the United States, which shall be valid to all  
6       intents and purposes as part of the Constitution when  
7       ratified by the legislatures of three-fourths of the several  
8       States within seven years after the date of its submission  
9       for ratification:

1 “ARTICLE —

2 “SECTION 1. Marriage in the United States shall con-  
3 sist only of a legal union of one man and one woman.

4 “SECTION 2. No court of the United States or of any  
5 State shall have jurisdiction to determine whether this  
6 Constitution or the constitution of any State requires that  
7 the legal incidents of marriage be conferred upon any  
8 union other than a legal union between one man and one  
9 woman.

10 “SECTION 3. No State shall be required to give effect  
11 to any public act, record, or judicial proceeding of any  
12 other State concerning a union between persons of the  
13 same sex that is treated as a marriage, or as having the  
14 legal incidents of marriage, under the laws of such other  
15 State.”.

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